

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GUERE RODRIGUEZ,

Plaintiff,

-v.-

LULAV PROPERTIES LLC et al.,

Defendants.

25 Civ. 03776 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

The Court is in receipt of the notice of Defendant Lulav Properties LLC advising that, on January 17, 2025, Lulav Properties LLC filed a voluntary petition for relief pursuant to Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.*, in the United States Bankruptcy Court for the Eastern District of New York. *See* ECF No. 13. In view of this notice, this action is hereby STAYED as to Defendant Lulav Properties LLC, pursuant to 11 U.S.C. § 362, pending the outcome of the bankruptcy petition.

By **October 1, 2025** and every ninety (90) days thereafter, the parties shall file a joint letter regarding the status of the bankruptcy proceeding. The letter should state whether the bankruptcy case is still pending and whether the action as to Lulav Properties LLC should remain stayed, be dismissed, or be restored to the active calendar.


Although “proceeding[s] against a debtor” are automatically stayed when certain types of bankruptcy petitions, including a Chapter 11 petition, are filed, 11 U.S.C. § 362(a)(1), “a suit against a codefendant is not automatically stayed by the debtor’s bankruptcy filing.” *Queenie, Ltd. v. Nygard Intern*, 321 F.3d 282, 287 (2d Cir. 2003) (cleaned up). “The automatic stay can apply to non-debtors,” but it “normally does so only when a claim against the non-debtor will have an immediate adverse economic consequence for the debtor's estate.” *Saraf v. Ebix, Inc.*,

No. 23-1182 (Civ.), 2024 WL 1298246 (2d Cir. Mar. 27, 2024) (quoting *Queenie, Ltd.*, 321 F.3d at 287).

By **August 8, 2025**, Plaintiff and all of the Defendants shall file letters stating their respective positions as to whether the Court should stay the entire case or only the case against Lulav Properties LLC. Before doing so, the parties shall meet and confer about the possibility of consenting to a stay of the case in its entirety regardless of whether the automatic stay is triggered for the non-debtor Defendants.

SO ORDERED.

Dated: July 25, 2025  
New York, New York

  
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JENNIFER H. REARDEN  
United States District Judge